

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BILLY TYLER,

Plaintiff,

V.

JEANINE, deputy clerk Douglas County
District,

Defendant.

8:13CV208

MEMORANDUM AND ORDER

This matter is before the court on its own motion. On September 4, 2013, the court conducted an initial review of Plaintiff's Complaint and found that it failed to state a claim upon which relief may be granted. (Filing No. 6.) The court gave Plaintiff an opportunity to amend his Complaint, but warned Plaintiff that if he failed to amend by October 3, 2013, his claims would "be dismissed without further notice." (Id. at CM/ECF p. 3.) Plaintiff failed to file an amended complaint by the court's deadline. (*See* Docket Sheet.) Accordingly,

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice because Plaintiff failed to prosecute this matter diligently and failed to comply with this court's orders.
2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 18th day of October, 2013.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge

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